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Leaky Government Resists Patchwork

SUMMARY: Once, most Americans honored warnings about "loose lips." Today officials are no less concerned about the danger, but leaks are springing more often than ever. Director of Central Intelligence William Casey, angered by recent disclosures, is determined to stop them — in part by seeking prosecution of offending news organizations.

During World War II the saying was "Loose lips sink ships." It was plastered on posters and billboards all over the country. The idea was that repeating any bit of news you picked up — from down at the shipyard, from a lonely GI's letter, that your boy was shipping out soon — might be overheard by an enemy agent who could put all the pieces together. And an enemy submarine would be lying in wait. The most effective version of this warning was the one shown in movie theaters. It had the cautionary words voiced over a scene of American bodies face down in the sand and surf of a distant beach.

It was a grim admonition, and most Americans took it seriously. The same message is going out today in different form, but the patriotic fervor and sense of danger are lacking. So is the cooperation. Official Washington, led by Director of Central Intelligence William J. Casey, is declaring war on leakers and threatening to prosecute newspapers, broadcasters and magazines.

Casey's wrath was aroused over information printed and broadcast at the time of the U.S. bombing raid on Libya. Casey said he had "five absolutely cold violations" of a little-known 1950s law against disclosure of information about the country's communications intelligence capabilities. He later called the Libya stories spilled milk but said the law must be enforced in the future. The future arrived May 19. Casey said he was asking the Justice Department to look into an NBC news report on electronic eavesdropping by U.S. submarines in Soviet harbors — with a view to prosecution.

The State Department issued a blunt object lesson May 16 by firing an employee, speechwriter Spencer C. Warren, who admitted leaking a classified cable. State Department spokesman Charles E. Redman added emphasis to the dismissal by opening his daily news briefing with the announcement, an unprecedented action. Said Redman: "The department is dismissing a mid-level employee because he made an unauthorized disclosure of classified information to the news media."

A favorite weapon against internal leakers is the lie detector test, the use of which the administration is trying to expand. Last month the Pentagon fired Michael E. Pillsbury, an assistant under secretary of defense for policy planning, because he had leaked news about a secret decision to send American-made Stinger missiles to anti-communist forces fighting in Angola and Afghanistan. The Pentagon said he flunked a lie detector test.

Samuel Loring Morison, a naval intelligence analyst, was prosecuted by the Justice Department last year and convicted of selling satellite photos to Jane's Defence Week, a British magazine. The government said this gave away secrets about U.S. satellite photography.

Some leaks can be deadly: U.S. agents overseas have been murdered after publication of their names and identities.

But if leaks are sometimes matters of grave national security, at other times they are just another way in which official Washington talks to the rest of the world. Washington probably couldn't function without certain kinds of leaks, and the government above all knows that.

"Very little of it is leaked by faceless civil servants," an informed source says. "It is leaked at a fairly high level. So, for presidents to be suddenly terribly upset about it borders a bit on crocodile tears, since, in fact, they do more leaking than they're leaked against."

"Bureaucrats, civil servants, don't

The late Sen. Sam Ervin at Watergate hearing: Leaks fueled the story.

UPI / BETTMANN NEWSPHOTOS

British war poster warns against inadvertently tipping off enemy.

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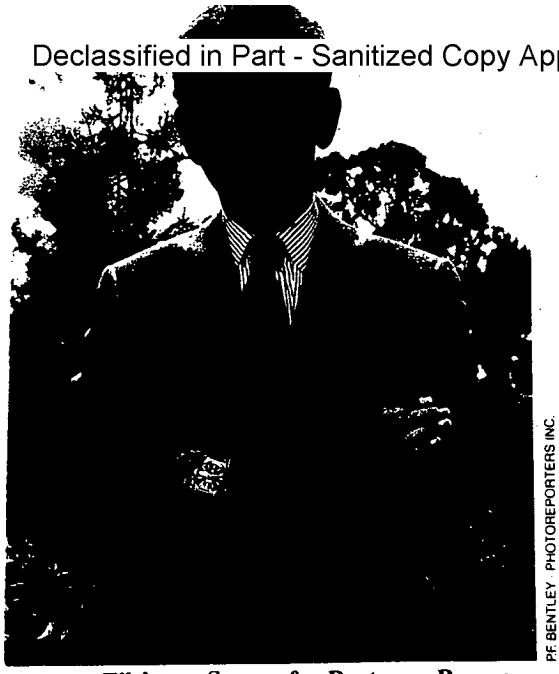


PF BENTLEY PHOTOREPORTERS INC.

Ellsberg: Source for Pentagon Papers

really do that much talking to reporters," says a former bureaucrat. "Reporters in this country tend to call political officials. Those are the people they've met in campaigns. They are the ones who they think have power. So they're the ones doing the leaking."

Says a Washington insider about leaks: "They're just so messy. Unless you're the one doing the leaking, they seem so destructive. There's so much wasted effort to knock them down once they're in the press. So many calls from reporters come in after something is leaked. So much time has to be spent. All sorts of public officials, presidents on down, get very upset about it."

News leaks take two basic forms: information the government wants spread but does not want to announce officially and information the government would prefer the public not know but which is leaked by someone who thinks it should be known. Leakologists call these "authorized leaks" and "unauthorized leaks."

Officials in power love authorized leaks and deplore unauthorized ones. Officialdom despises all leaks not of its own making. There is a famous story, confirmed by unimpeachable sources, that President Lyndon B. Johnson once refused to go through with a personnel appointment just because a newspaper printed news of it before he could announce it. Johnson may have been the biggest leakophobe of them all.

Stephen Hess, a resident scholar at the Brookings Institution who worked in press offices throughout the government in the Eisenhower and Nixon administrations, has made a study of leaks and breaks them down into seven types:

The ego leak: Giving out information, often without even being asked, just to prove you are a big shot with access to things worth leaking.

The goodwill leak: Similar to the above but with the aim of winning friends or at least cultivating useful reporters.

The policy leak: Can be either for or against a particular policy but leaked for the purpose of boosting or discrediting.

The animus leak: Grudge leaks used to get even or hurt a threatening rival.

The trial balloon: One of the most common, used when the government wants to test public reaction to something before it makes the official announcement. Many a trial balloon has burst a grand design.

The whistle-blower: Someone inside government knows something is going on, thinks it's wrong and thinks the public will never know unless he speaks out. Whistle-blowers sometimes go public with their protests. As a result, they often lose their jobs, which is why many still prefer the leak.

The no-purpose leak: Some people just love to talk.

Perhaps the most famous "policy leak" of recent times came during the Vietnam War. On June 13, 1971, The New York Times began publishing stories based on a 47-volume government study of U.S. involvement in Vietnam from 1945 to 1967. Similar articles followed in The Washington Post, other newspapers, the major wire services and broadcast networks.

The classified documents quickly became known as the Pentagon Papers, and they revealed a tangle of governmental stumbling and fumbling into war, covered up by deliberate deceit. The revelations caused a sensation and had a major role in increasing support for the antiwar movement.

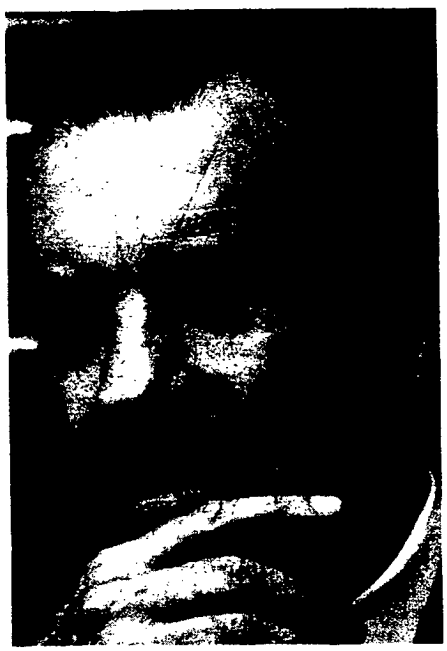
All this broke during the administration of President Richard M. Nixon, but the embarrassing revelations concerned things that had happened before he took office. If anything, the leaking of the Pentagon Papers provided a marvelous opportunity for a Republican administration to embarrass its Democratic predecessors. For a time, Nixon seriously considered declassifying these and all similar documentations of blunders, principally committed by Democrats, going all the way back to World War II. But in the end, Nixon, a lawyer as well as chief of the government from which the papers had been purloined, hated the thought of breached security more than he savored the grief it could cause his foes. He went to court in an effort to stop publication of the material and set the FBI on the trail of the leaker.

The administration lost its fight to stop newspapers from publishing stories based on the top secret documents. The Supreme Court said the Constitution prohibited prior censorship of news stories in all but the most dire circumstances.

Eventually, the leak was traced to Daniel Ellsberg, who had helped compile the reports as an employee of the Rand Corp., a think tank consultant to the Pentagon. In June 1971, Nixon created a White House unit nicknamed the "plumbers" because its mission was to stop leaks. The plumbers quickly got out of hand, even burglarizing the office of a psychiatrist who had been treating Ellsberg. They were looking for material that might be used to discredit Ellsberg.

Ellsberg was the first American to be prosecuted on espionage charges for releasing material to newspapers. But when the federal judge trying the case heard of the plumbers' shenanigans, he dismissed the charges. This left Nixon facing the most massive leakage of classified documents in U.S. history and helpless to do anything about it, even to punish the leaker.

Ironically, the downfall of Nixon was brought about by another leak — either of the "whistle-blowing" or "animus" variety, in Hess's typology, depending on whom you ask. Reporters Carl Bernstein and Bob Woodward wrote story after story through 1972 and 1973 about slush funds at the Nixon campaign headquarters, dirty tricks, political sabotage and more. The stories



CHARLES MOORE BLACK STAR

Nixon: Ruling left him helpless to do anything about Pentagon Papers leak.

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"This administration has done more leaking than any other past administration that I know of."

DENNIS BRACK BLACK STAR

Carl Bernstein (left), Bob Woodward

were based on various unnamed sources but were corroborated principally by one code-named Deep Throat.

In their book, "All the President's Men," the two Washington Post reporters described their key source as someone "in the executive branch who had access to information at the Committee for the Re-election of the President as well as at the White House. His identity was unknown to anyone else, including their editors. He could be contacted only on very important occasions. Woodward had promised never to identify him or his position to anyone. Further, he had agreed never to quote the man, even as an anonymous source."

Reporters refer to fonts of leaked information as "sources" rather than leakers. But whatever the terminology, news that one reporter has and no one else does is the sweetest kind. Most such stories come from sources who provide information but ask not to be named in the stories. Most reporters take pride in stories they break, but they clam up about the source. That makes it difficult for one reporter to write about other reporters' sources. But there are a million such stories floating around the bars and newsrooms of Washington.

This reporter recalls receiving a plain brown envelope behind the potted palms in the Muehlebach Hotel lobby in Kansas City, Mo., at 6 a.m. one day many years ago. In the envelope was information that provided the story of the hour. The source had no immediate interest in the affair. The reporter had simply asked if the source could get the information. The source got it and passed it on. There was no tit-for-tat, only the knowledge that the reporter would be grateful — a "goodwill leak" in Hess's description. If the source later wanted something leaked, the reporter would remember the favor and at least give it a hearing.

When this reporter first arrived in Washington, an older and wiser editor advised him, "You live and die in this town by your sources." The suggestion was clear: Get around and develop some. Without sources — or leaks — reporters wouldn't get their best stories and the public would know a lot less than it does. This reporter remembers another time in the Watergate era when he wanted very much to find certain elusive documents. Everyone insisted they did not exist; he believed they did and called everyone he knew who might have knowledge of them. Initially, nothing. Then one day the phone rang — a source had what he wanted. One of the seeds he had sown had blossomed. Another story had appeared that would not have come from the information mill by which official Washington daily inundates the press corps.

This points to another aspect of leak journalism: Most leak stories rely on a variety of sources, not just one superleak. Woodward and Bernstein talked to many more sources than Deep Throat. In fact, these reporters say, Deep Throat would only discuss information already obtained elsewhere. Most publications will not print a story based on one anonymous source.

In 1984 Bob Parry of The Associated Press began pursuing a report that a manual had been prepared by the CIA for the rebels fighting the Sandinista government of Nicaragua. The document became known as the "murder manual" because of some of its harsher suggestions. Parry consulted a variety of sources in tracking down the manual. He says he was surprised to learn that he knew more than many people in the CIA about the agency's own document. The story resulted in a White House reprimand and disciplining for the agency workers involved in producing the manual.

The most common threat hanging over leakers and leakees is an FBI investigation, though such inquiries are only rarely productive. In 1983 the FBI probed a leak of information about U.S. military options in Lebanon. The leaker was never discovered, but administration officials said quite frankly that the investigation at least would give pause to people in the administration contemplating future leaks.

But the growing leak traffic does make the government nervous. It was one of the reasons reporters were not taken along on the U.S. invasion of Grenada in 1983. The Pentagon's judgment on that may have been confirmed when it later tried to arrange a pool coverage system for future military actions: A few journalists, selected in advance, would be mobilized in secret to accompany U.S. forces. A test alert of the pool was a total debacle; minutes after the first call went out to alert pool members, the whole town knew about it. Loose lips.

An informed Washington source, asked about the current leak crisis, responds: "I'm glad that this whole business has focused attention on the question of leaks, because it's a way of life here and maybe it really has gotten out of hand. My point is this administration has done more leaking than any other past administration that I know of. And probably the next administration will do more leaking. Every administration does more than the past."

Hess himself was accused on occasion of being the biggest leaker in the Nixon administration. "It's not true," says Hess. "I didn't when I was a government official. What I did was talk to an awful lot of reporters. But that's not necessarily the same as leaking; it was a way to get our story out."

— *Don McLeod*

D. GOLDBERG SYGMA

Casey has threatened prosecution of media for airing intelligence leaks.

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